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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,846	08/29/2003	David Duncan	7535.00004	8144

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GREENBERG TRAUIG  
3773 HOWARD HUGHES PARKWAY  
SUITE 500 NORTH  
LAS VEGAS, NV 89109

EXAMINER
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HUNNINGS, TRAVIS R

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/651,846

Applicant(s)

DUNCAN ET AL.

Examiner

Travis R. Hunnings

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 8 is/are allowed.
- 6) ☒ Claim(s) 1,4 and 9-15 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 11 recites the limitation "the server" throughout the claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1, 4 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pascucci et al. (Pascucci; US Patent 5,522,044).

Regarding claim 1, Pascucci discloses *Networked Facilities Management System* that has the following claimed limitations:

The claimed personality module including at least one port for communicating with at least one field device and adapted to communicate with a server is met by the processing nodes that are connected to a network that is certainly capable of communicating with other devices on the network and also equipped with ports to connect to devices in order to control the operation of those devices (abstract);

The claimed personality module operating autonomously from the server is met by the processing nodes being able to operate independently (column 1, lines 12-16);

The claimed personality module including a processor is met by the processor as seen in figure 1;

The claimed personality module including a local memory is met by the DRAM as seen in figure 1;

The claimed personality module including facilities management information stored on the local memory is met by the database of processes that is in the processing nodes that are controlling the devices connected to them (abstract);

Pascucci does not explicitly disclose the claimed application stored on the local memory and executed by the processor, the application operable to receiving communications from the at least one field device accessing the facilities management information and issuing commands to the at least one field device independent of the server, however Pascucci does disclose the processing node receiving information from the connected device and controlling that device either with or without receiving instruction from a networked device (column 54, lines 29-67) along with the database of processes that is in the processing node that is controlling the device connected to the

node (abstract). It would have been obvious to one of ordinary skill in the art that the database of processes would constitute a software application of some form.

Regarding claim 4, the claimed personality module including stored information including clearance level information, logic scripts and cardholder information is met by the processing node controlling card reader access points (column 31, lines 40-49). It would have been obvious to one of ordinary skill in the art to include clearance level information, logic scripts and cardholder information to operate the access control through a card reader as disclosed.

Regarding claim 9, Pascucci discloses the claimed limitations:

The claimed storing the facilities management information in a local database is met by the processing node containing databases of processes that the processing node uses to control the devices connected to it (abstract);

The claimed receiving signals from a field device is met by the processing node controlling the devices connected to it which includes monitoring alarm circuits and receiving alarm information from those devices (abstract and column 13, lines 43-46);

The claimed accessing the facilities management information is met by the processing node containing databases of processes that the processing node uses to control the devices connected to it (abstract);

The claimed sending the field device control signals based on the facilities management information is met by the processing node containing databases of

processes that the processing node uses to control the devices connected to it (abstract).

Regarding claim 10, the claim is interpreted and rejected as claim 4 stated above.

Regarding claim 11, The claimed personality module communicating the event and alarm information to the server is met by the processing node gathering alarm information and reporting it across the network that one of ordinary skill in the art would consider a server (column 13, lines 43-46).

It would have been obvious to one of ordinary skill in the art to alert other clients if there was no response to the initial reporting of alarm information in order to provide backup and redundancy to the alarm information reporting.

Regarding claim 12, the claimed personality module comprising an associated processor and memory is met by the memory and processor associated with the processing node as seen in figure 1 (column 26, lines 38-55).

The claimed facilities management information associated with any field devices coupled to the personality module stored on the memory is met by the databases of processes that are stored in the processing node and used to control the devices connected to it (abstract).

The claimed personality module management application stored on the memory is met by the processing node having software that allows the processing node to operate and control devices connected to it (abstract).

Pascucci does not explicitly disclose the claimed personality module management application being operable to receive communications from any field device, accessing all facilities management information and issuing commands to any field device independent of a system server, however the processing nodes do have a database of processes that is in the processing node that is controlling the devices connected to the nodes (abstract) and they can process information received by the devices and control the devices with or without receiving instructions from a networked device (column 54, lines 29-67).

Regarding claim 13, it would have been obvious that the processing nodes would include some kind of operating system in order for the node to control the devices connected to it and communicate with other devices in the network.

Regarding claim 14, the claimed resources being stored in a local database is met by the database of processes that is in the processing node that is controlling the devices (abstract). It would have been obvious to one of ordinary skill in the art to download information to processing nodes from a server in order to facilitate the process of loading and updating the processing nodes from a centralized location.

Regarding claim 15, the claim is interpreted and rejected as claim 14 stated above.

***Allowable Subject Matter***

6. Claims 6 and 8 are allowed.
7. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. The following is a statement of reasons for the indication of allowable subject matter: with regard to independent claim 6, the prior art of record does not disclose nor suggest the particular structure and interaction of the client/server/personality module interface. While Pascucci discloses a system with 'personality modules' controlling devices independent of a centralized server, there is no mention of the particular structure comprising a server, a client coupled with the server and a personality module coupled with the server.

***Response to Arguments***

9. Applicant's arguments with respect to claims 1 and 9 have been considered but are moot in view of the new ground(s) of rejection.



10. Applicant's arguments filed 8 December 2005 have been fully considered but they are not persuasive. Applicant argues the following:

**Argument A:** With regard to claim 4, the examiner does not point to a specific teaching or basis to support the rationale for rejecting the claim as obvious.

Responses:

Regarding argument A, Pascucci clearly discloses the processing node controlling card reader access points (column 31, lines 40-49). The examiner again contends that it would have been obvious to one of ordinary skill in the art in order to control card reader access points, the stored information would inherently have clearance level information (at a minimum, whether to grant access or not), logic scripts (how to open the door, log the entry of the person, etc.) and cardholder information (name, title, picture).

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

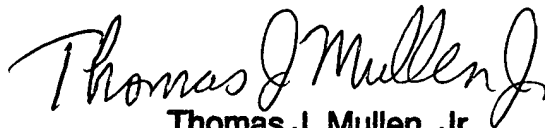
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH

  
**Thomas J. Mullen, Jr.**  
**Primary Examiner**  
**Art Unit 2632**